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In re Applicant:

Tzahi Arazi et al.

Serial No.: 09/963,761

Filed: September 27, 2001

For: Vectors For Expressing Heterologous

Peptides At The Amino-Terminus Of Potyvirus Coat Protein, Methods For Use Thereof, Plants Infected With Same And Methods Of Vaccinations Using Same

Group Art Unit: 1648

Attorney

Docket: 1686/4

Commissioner of Patents and Trademarks Alexandria, Virginia 22313-1450

## PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

This is in response to the United States Patent and Trademark Office Notice of Abandonment mailed December 8, 2003, in which it was indicated that the Applicant has failed to timely respond to the Office letter mailed April 7, 2003.

Applicant hereby clarifies that a Response was timely filed. Enclosed herein is a true copy of the Response which was filed April 30, 2003, and a copy of USPTO Mail Room stamp verifying filing date.

In view of the above, the Notice of Abandonment should be withdrawn.

Respectfully submitted,

Mark M. Friedman

Atterney for Applicant Registration No. 33,883

Date: November 24, 2003

Notice of Abandonment

Applicant	THO THE PROPERTY OF THE PROPER
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address
This application is abandoned in view of:
<ul> <li>Applicant's failure to timely file a proper reply to the Office letter mailed on <u>07 April 2003</u>.</li> <li>(a)  A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on</li> </ul>
(b) A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
(c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
(d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
(b) The submitted fee of \$ is insufficient. A balance of \$ is due.
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$
(c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.
(b) No corrected drawings have been received.
1. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:
PATENT EXAMINER 12/5/03
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Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 12

DEC 30 2003
APPLICANT:

**ARAZI** 

JAN 1 2 2004

TECH CENTER 1600/2900

DOCKET NO.

1686/4

FOR:

**VECTORS FOR EXPRESSING** 

HETEROLOGOUS PEPTIDES AT THE

AMINO-TERMINUS OF POTYVIRUS COAT

PROTEIN ....

FILED:

**SEPT 27 2001** 

**SERIAL NO:** 

09/963,761



Receipt of the following application papers is evidenced hereon by the official stamp of the U.S. Patent & Trademark Office:

**RESPONSE**